

INTERNET COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark
Office
(Box PCT)
Crystal Plaza 2
Washington, DC 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 01 November 1996 (01.11.96)	
International application No. PCT/EP96/01412	Applicant's or agent's file reference H AL/RS/2
International filing date (day/month/year) 28 March 1996 (28.03.96)	Priority date (day/month/year) 31 March 1995 (31.03.95)
Applicant DE VOS, Johan et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
16 October 1996 (16.10.96)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer H. Zhou Telephone No.: (41-22) 730.91.11
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference H AL/RS/2	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP 96/ 01412	International filing date (<i>day/month/year</i>) 28/03/1996	Priority date (<i>day/month/year</i>) 31/03/1995
International Patent Classification (IPC) or national classification and IPC H04N7/173		
Applicant SONY TELECOM (EUROPE) N.V. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This **REPORT** consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consists of a total of _____ sheets.

3. This report contains indications and corresponding pages relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 16/10/1996	Date of completion of this report 24. 06. 97
Name and mailing address of the IPEA/  European Patent Office D-80298 Munich Tel. (+49-89) 2399-0, Tx: 523656 epmu d Fax: (+49-89) 2399-4465	Authorized officer S. McGrath  Telephone No. 089. 2399 8961

I. Basis of the report

1. This report has been drawn up on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

☒ the international application as originally filed.

☐ the description, pages _____, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☐ the claims, Nos. _____, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.

☐ the drawings, sheets/fig _____, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____.

☐ the claims, Nos. _____.

☐ the drawings, sheets/fig _____.

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims 12-17	YES
	Claims 1-11	NO
Inventive Step (IS)	Claims	YES
	Claims 1-17	NO
Industrial Applicability (IA)	Claims 1-17	YES
	Claims	NO

2. CITATIONS AND EXPLANATIONS

The following documents, cited in the International Search Report, are mentioned in this examination report:

D1: EP-A-0 624 039
D2: EP-A-0 625 857
D3: EP-A-0 633 694
D4: EP-A-0 625 858
D5: EP-A-0 133 706

1. The present application does not satisfy the criterion set forth in Article 33(2) PCT because the subject-matter of claim 1 is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

D1 discloses all the features of claim 1.
See in particular the passages cited in the ISR and the following blocks of Figs. 1 & 2:

105,104,100,102,134,121,112,114

2. The following dependent claims do not appear to contain any additional features which, in combination with the features of any claim to which they refer establish novelty (Art. 33(2) PCT), or involve an inventive step (Art. 33(3) PCT):

claims 2-8 - see D1;

claims 9-11 - see D2;

claims 12-16 - see D2, D3 & D4;

claim 17 - see D4 & D5.

It should also be noted that D2 & D4 are linked by a reference in D4, col. 5, lines 48-50 and thus are considered to form one single document.

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. To meet the requirements of Rule 6.3(b) PCT the independent claims should be properly cast in the two part form, with those features which in combination are part of the prior art being placed in the preamble.
2. The opening part of the description should be amended so that it is in agreement with any new claims (Rule 5.1(a)(iii)).
3. In order to indicate more completely the background art, useful for understanding the invention, the documents mentioned above should be acknowledged in the description (Rule 5.1(a)(ii)) and technical problems and any advantageous effects should be stated in comparison to this background art (Rule 5.1(a)(iii)).
4. Reference signs should be introduced throughout the claims (Rule 6.2(b)).